

**REGULAR MEETING OF THE  
MAYOR AND BOROUGH COUNCIL**

**March 23, 2015 MINUTES**

Mayor Bruce A. Harris called the Regular Council Meeting of the Borough of Chatham to order on Monday, March 23, 2015 at 7:30 p.m. in the Council Chambers in the Municipal Building, 54 Fairmount Avenue, Chatham, New Jersey.

**SALUTE TO FLAG**

The Mayor and Borough Council led the assembled in the Pledge of Allegiance.

**MOMENT OF SILENCE**

Mayor Harris asked for a moment of silence for those who have given their lives for our country.

**STATEMENT OF ADEQUATE NOTICE**

Robin R. Kline, Municipal Clerk, read the following statement of adequate notice:

Pursuant to the requirements of R.S. 10:4-10, adequate notice of this meeting has been provided by including same in the Annual Notice, copies of which were posted on the Municipal Bulletin Board on the main floor of the Municipal Building, emailed to the Independent Press, the Daily Record, the Star Ledger, the Chatham Courier, the Chatham Patch, and The Alternative Press and filed with the Borough Clerk, all on January 2, 2015.

**ROLL CALL**

On a call of the roll the following officials were present:

Mayor Bruce A. Harris  
Council Member James J. Collander  
Council Member James Lonergan  
Council Member John Holman  
Council Member Victoria Fife  
Council President Gerald J. Helfrich  
Council Member Alida Kass  
Robert J. Falzarano, Borough Administrator  
James L. Lott, Jr., Borough Attorney  
Robin R. Kline, Borough Clerk

Mayor Bruce A. Harris opened the meeting by reading the following proclamation:

**PROCLAMATION**

**CELEBRATING ECLC OF NEW JERSEY'S COMMUNITY WELLNESS FAIR  
ON SATURDAY, MARCH 28, 2015**

**WHEREAS**, ECLC of New Jersey was formed in 1970 by a group of concerned parents to provide early intervention services to six pre-school children; and

**WHEREAS**, today ECLC of New Jersey offers lifelong services in education, enrichment and employment to nearly 700 adults and children with special needs, primarily from Central and North Jersey; and

**WHEREAS**, the ECLC of New Jersey offers parents peace of mind that their child with special needs will be served for as long as desired. Support begins from the day a child enrolls in school and continues through Transition Services, starting at age 14, to graduation day and beyond into jobs, day programs, alumni enrichment classes and social opportunities; and

**WHEREAS**, the Chatham school will hold its first Community Wellness Fair on Saturday, March 28, from 10 a.m. to 3 p.m., presenting a fun and free day of giveaways, kids' activities, health screenings, and interactive demonstrations and presentations in fitness, yoga, nutrition, cooking classes, dance performances, pet therapy and much more; and

**WHEREAS**, the idea for a Community Wellness Fair was inspired by the school's concern about obesity and how it affects their students and adult clients with special needs and evolved into a holistic approach to wellness for everyone in our community and includes everything from gluten-free bakeries to dancers, art, cooking and Zumba.

**BE IT RESOLVED**, that I, Bruce A. Harris, Mayor of the Borough of Chatham, together with the Council of the Borough of Chatham extend their heartfelt appreciation to the ECLC of New Jersey for serving and fulfilling an important role for children and adults with special needs, and hereby encourage all citizens to participate in the ECLC OF NEW JERSEY'S COMMUNITY WELLNESS FAIR to be held on Saturday, March 28, 2015 at the Chatham school, 21 Lum Avenue, to learn more about holistic approaches to wellness for everyone while participating in an exciting day of free and informative activities.

Ms. Annie Fields, a staff nurse with ECLC of New Jersey, was present to accept the proclamation. Ms. Fields thanked the Mayors' Wellness Committee for its assistance in providing resources regarding holistic health initiatives for the local community and especially for those individuals with special needs.

Mayor Bruce Harris read the following Proclamation:

### **PROCLAMATION**

#### **WORLD AUTISM AWARENESS MONTH AND WORLD AUTISM DAY**

**WHEREAS**, autism, the fastest growing developmental disability in the United States, affecting more than three million people, is an urgent public health crisis that demands a national response; and

**WHEREAS**, autism is the result of a neurological disorder that affects the normal functioning of the human brain, and can affect anyone, regardless of race, ethnicity, gender, or socioeconomic background; and

**WHEREAS**, symptoms and characteristics of autism may present themselves in a variety of combinations and can result in significant lifelong impairment of an individual's ability to learn, develop healthy interactive behaviors, and understand verbal as well as nonverbal communication; and

**WHEREAS**, the effort to address autism continues, doctors, therapists, and educators can help persons with autism overcome or adjust to its challenges and provide early, accurate diagnosis and the resulting appropriate education, intervention, and therapy that are vital to future growth and development; and

**WHEREAS**, ensuring that persons living with autism have access to the lifelong care and services needed to pursue the full measure of personal happiness and achieve their greatest potential; and

**WHEREAS**, Chatham Borough is honored to take part in the annual observance of Autism Awareness Month and World Autism Awareness Day in the hope that it will lead to a better understanding of the disorder.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they do hereby proclaim the month of April 2015 as **WORLD AUTISM AWARENESS MONTH** and Thursday, April 2, 2015 as **WORLD AUTISM AWARENESS DAY** in Chatham Borough to raise public awareness of autism and the myriad of issues surrounding autism and to increase public knowledge of the programs that have been, and are being, developed to support individuals with autism and their families.

Mayor Harris presented the Proclamation to Ms. Eileen Ruggiero. She thanked the Mayor and Council for their support of World Autism Awareness Day and Autism Awareness Month and reported that 1 in 68 children are diagnosed with autism in the United States each year and that New Jersey has the highest autism rate in New Jersey.

Mayor Bruce Harris proceeded with Resolution #25-146.

Council President Gerald Helfrich questioned the draft closed session minutes as presented with regarding the Mayor and Council's discussion of the Professional Service Provider matter. Accordingly, he stated he would abstain on the approval of the closed session minutes.

Mayor Harris suggested that the March 9, 2015 closed session minutes be removed from Resolution #15-146 and that the Council take action only on the March 9, 2015 regular meeting minutes, which was concurred by the Members of the Borough Council.

#### **RESOLUTION #15-146**

#### **RESOLUTION TO ADOPT COUNCIL MEETING MINUTES**

**BE IT RESOLVED** by the Council of the Borough of Chatham that the minutes from the following meeting are approved as prepared and shall be filed as a permanent record in the Borough Clerk's office:

March 9, 2015

Council Member John Holman moved to approve the March 9, 2015 Regular Meeting minutes listed on Resolution #15-146. The March 9, 2015 closed session minutes were removed from Resolution #15-146. The motion was seconded by Council Member James Collander. A voice vote was taken and Resolution #15-146 was approved unanimously.

Mayor Bruce Harris stated the March 9, 2015 closed session minutes will be considered for approval at the next meeting and asked all Council Members to forward their comments concerning same.

#### **DISCUSSION ITEMS**

**Project Community Pride** – Ms. Diane Mann, President and CEO of the Madison Area YMCA, provided a brief presentation on the Project Community Pride program. Ms. Mann reported the program has a total annual funding of \$195,000, which covers salaries, health & retirement benefits for two full-time counselors. Additional funds provided by the YMCA cover program supplies, administrative management, ongoing professional development, public relations and fundraising services. At an initial meeting held in October 2014, funding partners agreed to meet together two to three times per year to address emerging issues and trends for Project Community Pride and in the larger community.

Ms. Mann reported that the YMCA's Community Mental Health Initiative was established last fall and is comprised of a broad coalition of community leaders whose mission is to raise awareness and provide training regarding mental health issues. Confidential reports are being developed to document services provided and will establish a format and method for ongoing feedback to partners, donors, parents, schools and other community leaders.

Ms. Mann reported that philanthropic support is strong with several major gifts having been secured since September 2014 from the Overlook Hospital Foundation, as well as, a few corporate and family foundations. Future ongoing funding events, such as the Annual Run at Giralda Farms sponsored by Pfizer, is scheduled to be held on May 20<sup>th</sup> and an Annual Breakfast is planned in fall 2015.

In closing her presentation, Ms. Mann reported that Florham Park, Madison Borough and Chatham Borough are currently participating in the YMCA's Project Community Pride program and conversations are on-going with Chatham Township for its participation.

Mayor Harris and the Borough Council thanked Ms. Mann for her informative presentation and applauded the YMCA's initiatives in providing valuable community services.

**Junior Firefighter Program** – Fire Chief Doug Allan and Battalion Chief Donald Almgren presented an overview of the proposed Junior Firefighter Program. Fire Chief Allan thanked the Mayor and Council for scheduling the presentation at tonight's meeting and asked for their endorsement in the implementation of a Junior Firefighter Program. Battalion Chief Almgren reported the Junior Firefighter Program is open to young persons between the ages of 16 and 18 years of age who are residents of Chatham Borough and who are interested in seeking membership in the Chatham Borough Volunteer Fire Department ("Fire Department"). He reported that Rules and regulations for the Junior Fireman's Auxiliary Company ("Junior Company") have been promulgated by the Fire Department and that the Junior Company will be limited to ten members.

Battalion Chief Almgren reported Junior Firefighters would be trained in the basic knowledge and use of firefighter equipment, but would not be permitted to fight fires, use power equipment or drive fire apparatus until the member attains the age of 18 years. He further mentioned that the firefighter manual used by the Morris County Firefighting Academy would be used for training purposes and would help to prepare the Junior Member when attending the Firefighting Academy when obtaining the Firefighter I certification.

Battalion Chief Almgren reported that Florham Park and Chatham Township also have a Junior Firefighter program, however, Chatham Borough's Junior Firefighter program will be more structured.

Mayor Harris thanked Fire Chief Doug Allan and Battalion Chief Donald Almgren for their service to the community and stated that programs, such as the Junior Firefighter program and the Emergency Squad's Cadet program, give young people an opportunity to serve in an emergency service capacity are valuable to communities.

**AlertChathamBorough Changes** – Mr. Steve Williams provided an overview of the changes to the AlertChathamBorough emergency and community alert notification system. Due to the change, residents who sign up for automated alerts can no longer distinguish how they wish to be alerted for emergency or community alerts. Mr. Williams reported a notification will be sent out to all subscribed users to inform them of this new change so that they can adjust their profiles.

**Recycling Depot Security** – Council Member John Holman reported that in efforts to deter dumping of construction debris and non-recyclable materials at the recycling center, “No Dumping, \$1,000 Fine for Illegal Dumping” signage will be posted throughout the site. A \$1,000.00 fine will be levied against violators in accordance with local ordinances and reported that the Borough has access to surveillance for enforcement purposes.

**Solid Waste Contract** – Council Member John Holman reported the Borough’s 5-year contract will expire at the end of the year and asked Mayor Harris and Members of the Borough Council to share any comments or feedback they may have regarding the planned issuance of new solid waste collection bid specifications.

Council Member James Lonergan reported that a resident suggested reducing solid waste collection services a cost saving measure to one day a week. With an increase in the recycling tonnage collected, less solid waste material is generated and the idea of a one day a week collection may be worth investigating. He mentioned that he suggested that the resident may wish to initiate a household survey to determine the need.

The Mayor and Council further questioned whether collection of both solid waste and recycling materials could be scheduled to occur one day a week versus the current three day a week collection schedule and offered a suggestion to examine the option of using tags versus bags and also offering the option for households to order tags and/or bags online.

## **MEETING OPEN TO THE PUBLIC**

### **NOTICE OF PUBLIC COMMENT TIME LIMIT**

Hearing of citizens during the Public Comment section of the Agenda is an opportunity for any member of the public to be heard about issues which are/are not topics scheduled for Public Hearing tonight. To help facilitate an orderly meeting, and to permit all to be heard, speakers are asked to limit their comments to a reasonable length of time.

Mayor Bruce Harris opened the meeting for public comment.

Hilary Tabish, 21 Chatham Street, voiced her concern regarding the use of temporary lighting at Lum Field for the spring recreation program.

Ken Fekete, 10 Lafayette Place, voiced his concern regarding property maintenance issues at an adjacent commercial property. He commented that several written communications were sent to the Borough Engineer’s attention seeking remediation and enforcement of the Borough’s ordinance and requested that all dumping must stop, debris removed and a tree buffer installed on the property.

Dan Moskowitz, 75 Chatham Street, thanked the Mayor and Borough Council for their quick response in permitting temporary lighting at Lum Field. He reported that the Township provides over 1,000 hours of lighted field use a year at their six fields, while the Borough provides under 100 hours of lighted field use, including the hours recently permitted for the spring sports practice schedule. He encouraged Borough officials to begin to examine long-term solutions that will create more efficient use of all fields to accommodate demand.

Mayor Harris stated the request for use of lights at Lum Field was an emergency request that came before the Mayor and Borough Council at their last meeting during the public comment period and was not an agenda item for discussion. Mayor Harris noted that 1,100 children are registered in the Lacrosse

Program and arrangements were needed to allow the children to have the sports experience they were looking forward to.

Seeing no one else wishing to speak, Mayor Harris closed public comment.

## **ORDINANCE FOR SECOND READING**

Mayor Harris asked Council Member Lonergan to proceed with Ordinance #15-03

Council Member Lonergan read Ordinance #15-03 entitled:

### **ORDINANCE #15-03**

#### **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

Which Ordinance was introduced and passed on first reading at a regular Council meeting held on March 9, 2015.

Mayor Harris asked the Borough Clerk to give a summary of the legal notice.

The Borough Clerk stated that a legal notice was published indicating that Ordinance #15-03 was introduced and passed on first reading at the March 9, 2015 meeting and indicated the second reading and public hearing would be held at 7:30 p.m. on March 23, 2015 for consideration of final adoption. Copies of this Ordinance were made available to the general public and posted in accordance with law.

Mayor Harris opened the public hearing on Ordinance #15-03. Seeing no one wishing to be heard, Mayor Harris closed the public hearing.

Council Member Lonergan offered Ordinance #15-03 and moved its adoption:

**BE IT RESOLVED**, that this Ordinance as read by title on second reading, and after public hearing at this meeting, be adopted and finally passed.

The motion was seconded by Council President Gerald Helfrich.

Mayor Harris asked the Borough Clerk for a Roll Call Vote.

Name	Motion	Second	Yes	No	Abstain	Absent
Collander			X			
Lonergan	X		X			
Holman			X			
Fife			X			
Helfrich		X	X			
Kass				X		

Mayor Harris declared this Ordinance adopted and finally passed and requested that the Borough Clerk publish the proper notice of adoption of this Ordinance in the official newspapers and to permanently record the Ordinance.

## **REPORTS**

### **BOARD & COMMISSION MEMBERS & LIAISON REPORTS**

#### Affordable Housing Advisory Committee

Mayor Bruce Harris reported the Affordable Housing Advisory Committee will be meeting soon to discuss recent developments in the law.

#### Traffic & Pedestrian Safety Advisory Committee

Council Member James Collander reported the committee is evaluating a request to add a crosswalk on Main Street in front of Kings Supermarket to aid pedestrians living in the condominiums to safely across Main Street.

#### MyChathamNJ Advisory Committee

Council Member Victoria Fife reported a few days are left for students in grades 4 through 8 to submit their "Keep Chatham Clean" design for this year's 2015 T-shirt contest. The Spring Clean event will take place on Saturday, May 2<sup>nd</sup>. Council Member Fife encouraged everyone to sign up and participate.

#### Mayor's Wellness Committee

Council Member Victoria Fife reported the Committee will be participating in the ECLC Wellness Fair to be held on Saturday, March 28<sup>th</sup>.

#### Planning Board

Council Member Victoria Fife reported developers are expressing interest in the new zoning of the M Districts and are contacting the Borough Engineer with their inquiries.

#### Project Community Pride

Council Member Victoria Fife had nothing new to report.

#### Public Arts Council Advisory Committee

Council Member Victoria Fife had nothing new to report.

#### Senior Center of the Chathams

Council Member Victoria Fife reported the Senior Center of the Chathams will be celebrating its 25<sup>th</sup> year anniversary on Friday, April 24<sup>th</sup> at the Fish and Game Club. The Senior Center will also hold a Shredding Event on Saturday, April 25<sup>th</sup> at the Chatham train station.

#### Special Events Advisory Committee

Council Member Victoria Fife reported the Tri-centennial Celebration Committee is underway and will be planning the celebration of the tri-centennial settlement of the Borough to be held during the Fishawack Festival scheduled for June 13<sup>th</sup>.

#### Communications & Technology Advisory Committee

Council Member James Lonergan had nothing new to report.

#### Joint Recreation Advisory Committee

Council Member James Lonergan reported 168 students have registered for the Youth Track Program this season, which is over-subscribed. Council Member Lonergan further reported that a new Sports Buddy Program has been created at the High School, which promotes sports activities in a less competitive and fun environment.

Council Member Lonergan reported the Borough Council gave permission to temporary lighting at Lum Field at its March 9<sup>th</sup> meeting and explained that permission was also give to extend the time lights could be used to 8:30 p.m. to allow three practice sessions. Since the approval was given, the lights have been used for only 3 ¼ hours. He also reported that Cougar, Haas, and Shunpike Fields have opened and the Township has extended lights at Shunpike Field until 9:30 p.m. Lastly, Council Member Lonergan reported that the youth recreation programs support thousands of children, which are privately funded by the sports clubs and through usage fees, greatly reducing the cost burden on taxpayers.

#### Municipal Pool Advisory Committee

Council Member James Lonergan had nothing new to report.

#### Board of Health

Council Member John Holman had nothing new to report.

#### Farmers' Market Advisory Committee

Council Member John Holman reported new seating will be installed at the Farmers' Market this year and ten new vendors are interested in participating in the 2015 season. The Farmers' Market is scheduled to open June 20<sup>th</sup>. The Committee will meet again on March 26<sup>th</sup>.

#### Joint Community Gardens Advisory Committee

Council Member John Holman reported the Joint Community Garden has updated its Facebook page to include new information about the community garden and promotional specials at local garden centers. The community garden is opening up their classes to individuals in the Morristown area.

#### Madison Chatham Joint Meeting

Council Member John Holman had nothing new to report.

#### Board of Education

Council President Gerald Helfrich reported the Board of Education will present a referendum question on the April 21<sup>st</sup> School Election and encouraged everyone to be informed and vote. Dr. LaSusa will provide a presentation on the school budget and referendum at the April 13<sup>th</sup> meeting of the Mayor and Council.

Mayor Harris mentioned that the purpose of Dr. LaSusa's presentation is to provide information on the school budget and referendum to the Mayor and Council and further mentioned the School Board has held public forums on the school budget and referendum.

#### 9/11 Memorial Advisory Committee

Council President Gerald Helfrich had nothing new to report.

#### Environmental Commission

Council Member Alida Kass had nothing new to report.

#### Historic Preservation Commission

Council Member Alida Kass had nothing new to report.

#### Open Space & Historic Preservation Trust Advisory Committee

Council Member Alida Kass had nothing new to report.

#### Shade Tree Commission

Council Member Alida Kass reported the Shade Tree Commission continues to work on the draft ordinance for publicly-owned trees within the Borough.



## **MAYOR'S REPORT**

Mayor Bruce Harris reported that last Saturday awards were presented in the "Explore Chatham Photo Contest." Winning photographs are on display in the Municipal Building. Mayor Harris also announced that he has open office hours on Saturday, March 28<sup>th</sup> and April 18<sup>th</sup> from 11:00 a.m. until 1:00 p.m. and is also available by appointment. Lastly, Mayor Harris reported he performed a wedding ceremony upon the request of a math teacher who specifically wished for the wedding ceremony to be performed on Pi Day, March 14, 2015 (3/14/15) at 9:26 a.m. at 54 Fairmount Avenue. The date, time and address, represent the first 10 digits of Pi, the mathematical constant.

## **ADMINISTRATOR'S REPORT**

Mr. Robert Falzarano reported the 2014 Annual Report was distributed to the Mayor and Council last week and will be posted to the website. He also reported a final meeting was held with representatives of the Planning and Zoning Boards to discuss the new policy and procedures for the application process. Final revisions have been made and the new policy and procedure will be implemented by April 15<sup>th</sup>.

## **RESOLUTION FOR SEPARATE ACTION**

Mayor Bruce Harris asked Council Member James Lonergan to proceed with Resolution #15-147.

## **RESOLUTION #15-147**

## **RESOLUTION TO INTRODUCE THE 2015 MUNICIPAL BUDGET**

**BE IT RESOLVED**, that the following statements of revenues and appropriations shall constitute the local Municipal Budget for the year 2015:

### Municipal Budget

#### Revenues

Current Taxes	\$ 5,662,614.57
Local Tax for Muni Purposes	\$ 7,593,286.05
Minimum Library Tax	<u>\$ 860,910.00</u>
	\$14,116,810.62

#### Appropriations

Municipal Purposes	\$12,396,810.62
Reserve for Uncollected Taxes	<u>\$ 1,720,000.00</u>
Total General Appropriations	\$14,116,810.62

### Water Operating Budget

#### Revenues

Rents and Fees	\$1,340,993.34
----------------	----------------

#### Appropriations

Expenses	\$1,340,993.34
----------	----------------

### Solid Waste Budget

#### Revenues

Rents and Fees	\$ 533,250.00
----------------	---------------

#### Appropriations

Expenses	\$ 533,250.00
----------	---------------

And,

**BE IT FURTHER RESOLVED**, that said Budget shall be published in the April 9, 2015 edition of the Chatham Courier together with a public notice that the public hearing will be held in the Municipal Building on April 27, 2015 at 7:30 p.m., or as soon thereafter as the matter can be reached by the Borough Council.

Council Member Lonergan offered Resolution #15-147 and moved its adoption on first reading.

The motion was seconded by Council Member John Holman.

Mayor Harris asked the Borough Clerk for a Roll Call Vote.

Name	Motion	Second	Yes	No	Abstain	Absent
Collander			X			
Lonergan	X		X			
Holman		X	X			
Fife			X			
Helfrich			X			
Kass			X			

Mayor Harris stated Resolution #15-147 passed on introduction and is scheduled for public hearing and consideration for adoption at the April 27, 2015 meeting of the Mayor and Council.

#### **CONSENT AGENDA**

The following items are considered to be routine by the Chatham Borough Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda. Resolution #15-148 through Resolution #15-156 have been placed on the Consent Agenda.

#### **RESOLUTION[S] REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION AND VOTE**

None.

Mayor Bruce Harris proceeded with Resolution #15-148 through Resolution #15-156 listed on the Consent Agenda.

#### **CONTRACTS**

##### **RESOLUTION #15-148**

##### **RESOLUTION AUTHORIZING THE BOROUGH OF CHATHAM TO ENTER INTO THE COMMODITY RESALE AGREEMENT WITH THE CITY OF SUMMIT**

**WHEREAS**, N.J.A.C. 5:34-7.15 authorizes contracting units to establish a Commodity Resale System; and

**WHEREAS**, the City of Summit has agreed to serve as the Lead Agency, establishing a Commodity Resale System for the resale of gasoline, diesel fuel, snow removal chemicals, and public works materials for a Commodity Resale System with the Borough of Chatham.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby approve the Borough's participation in the Commodity Resale System with the City of Summit serving as the Lead Agency; and

**BE IT FURTHER RESOLVED**, by the Borough Council that the Mayor is hereby authorized to enter into a contract with the City of Summit for the Borough's participation in the Commodity Resale System; and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution along with a copy of the Gasoline Purchase Agreement and a copy of the Request for Registration or Modification of a Commodity Resale System Form (Cooperative Purchasing Form CP-2060) shall be forwarded to the Director of the Division of Local Government Services within the State Department of Community Affairs; and

**BE IT FURTHER RESOLVED**, that all other Borough officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

#### **RESOLUTION #15-149**

#### **RESOLUTION TO AUTHORIZE THE BOROUGH OF CHATHAM TO ENTER INTO A JOINT PURCHASING AGREEMENT WITH THE CITY OF SUMMIT, TOWNSHIP OF MILLBURN AND BOROUGH OF NEW PROVIDENCE FOR THE PURCHASE OF THERMOPLASTIC PAVEMENT MARKER**

**WHEREAS**, the City of Summit ("Summit"), Borough of Chatham ("Chatham"), Township of Millburn ("Millburn") and the Borough of New Providence ("New Providence") have a need for a piece of equipment commonly known as an Thermoplastic Pavement Marker (the "Pavement Marker") the purpose of which is to provide a long lasting traffic striping system for municipal roadways; and

**WHEREAS**, N.J.S.A. 40A:11-10 and 40A:11-11 specifically authorize that two (2) or more contracting units may enter into a Joint Purchasing Agreement for the purchase of equipment; and

**WHEREAS**, Summit as the lead agency (the "Lead Agency") is conducting a voluntary joint purchasing system for the purchase of the Pavement Marker with Chatham, Millburn and New Providence as the other authorized contracting units (the "Contracting Units or Unit"); and

**WHEREAS**, the Joint Purchasing Agreement is to effect substantial economics in the purchase of the Pavement Marker as the Contracting Units agree to share equally the costs of acquisition, maintenance and operation of Pavement Marker; and

**WHEREAS**, it is the desire of all parties to enter into such Agreement for said purpose; and

**WHEREAS**, the Director of Finance has provided a certification of availability of funds in the amount not to exceed \$17,500 from the General Capital Fund in Accounts # C-04-55-911-602 and C-04-55-911-751 for the Borough's pro-rated cost to purchase the Pavement Marker.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby approve the Borough's participation in the Joint Purchasing Agreement for the purchase of the Pavement Marker with Summit as the lead agency for the purchase of the Pavement Marker and Millburn, New Providence and the Borough of Chatham as the other authorized contracting units; and

**BE IT FURTHER RESOLVED**, by the Borough Council that the Mayor is hereby authorized to execute the subject Joint Purchasing Agreement for the Borough's participation to equally share the costs of acquisition, maintenance and operation of Pavement Marker; and

**BE IT FURTHER RESOLVED**, that all other Borough officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

#### **RESOLUTION #15-150**

#### **RESOLUTION TERMINATING PERRIN STREET LICENSE**

**WHEREAS**, the Borough of Chatham (the "Borough" or "Licensor") previously entered into a license agreement with the Fusco Bros., located at 55 River Road, Borough of Chatham (the "Licensee"), dated March 10, 2003, whereby the Borough granted to the Licensee a license to install and maintain a 16 foot wide gate across the paper street commonly known as Perrin Street (the "License Agreement"); and

**WHEREAS**, the Mayor and Borough Council wish to terminate the License Agreement and direct that the Licensee remove the gate; and

**WHEREAS**, in accordance with Paragraph 6 of the License Agreement, this Resolution shall serve as written notice of the Borough's intent to terminate the License Agreement; and

**WHEREAS**, the License Agreement shall terminate ten (10) from the date of this Resolution.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham in the County of Morris and the State of New Jersey that this Resolution shall serve as written notice of the Borough's intent to terminate the License Agreement.

**BE IT FURTHER RESOLVED**, that the License Agreement shall terminate ten (10) days from the date of this Resolution; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk be and hereby is directed to serve a copy of this certified resolution to the Licensee.

#### **FINANCE**

#### **RESOLUTION #15-151**

#### **RESOLUTION TO APPROVE PAYMENT OF VOUCHERS**

**WHEREAS**, vouchers for payment have been submitted to the Borough Council by the various municipal departments.

**BE IT RESOLVED** by the Borough Council of the Borough of Chatham that all vouchers approved by the Finance Chairman be paid subject to the certification of the availability of funds by the Chief Financial Officer.

#### **RESOLUTION #15-152**

#### **RESOLUTION REFUNDING REDEMPTION OF TAX SALE CERTIFICATE #2013-3**

**WHEREAS**, the Tax Collector for the Borough of Chatham has advised that the following tax sale redemption refund should be made:

<u>BLOCK/LOT</u>	<u>OWNERS/PROPERTY LOCATION</u>	<u>AMOUNT</u>	<u>YEAR</u>
81/8	*Lien...Weissenborn 2 Martin Place (lien includes the following: \$51,434.46 redemption + \$84,000.00 premium)  Make check payable & mail to: U.S. Bank Cust for Pro Cap III, L.L.C. 50 South 16 <sup>th</sup> Street – Suite #1950 Philadelphia, P.A. 19102	\$135,434.46	2013  Redeemed Tax Lien

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that it hereby authorizes the Borough Tax Collector to issue a refund for the redemption of tax sale certificate #2013-3 as herein referenced.

### **BOARDS, COMMISSIONS & COMMITTEES**

#### **RESOLUTION #15-153**

#### **RESOLUTION ABOLISHING THE CHATHAM CARES AND SHARES ADVISORY COMMITTEE**

**WHEREAS**, the volunteer-based Chatham Cares and Shares Advisory Committee was formed to provide temporary assistance to Chatham Borough residents during a time of need by coordinating resources from the community, county agencies and local partnerships for assistance and support when possible; and

**WHEREAS**, Chatham Bridging the Gap, Inc., a newly formed New Jersey 501c(3) organization, provides temporary assistance to local families and individuals that find themselves in a financial hardship due to unexpected circumstances; and

**WHEREAS**, the Chatham Bridging the Gap, Inc. will replace the Cares and Shares Advisory Committee in coordinating and providing temporary assistance for Borough residents in need.

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that they hereby abolish the Chatham Cares & Shares Advisory Committee; and

**BE IT FURTHER RESOLVED**, that the Mayor and Council wish to express their heartfelt appreciation to the volunteers who have served on the Chatham Cares & Shares Advisory Committee and its predecessor, the Local Assistance Board, throughout the years assisting Borough residents in need.

### **RECREATION**

#### **RESOLUTION #15-154**

#### **RESOLUTION AUTHORIZING THE INSTALLATION OF TWO BASEBALL DUGOUTS AND ONE BATTING CAGE AT SHEPARD KOLLOCK PARK SOUTH FIELD**

**WHEREAS**, the Baseball Club of Chatham, N.J., Inc. requested to discuss the installation of baseball dugouts and a batting cage on the south field with the Mayor and Borough Council; and

**WHEREAS**, on February 23, 2015, Anthony Gruppuso, President of the Baseball Club of Chatham, N.J., Inc. discussed the design, location, and cost for the installation of the dugouts and batting cage; and

**WHEREAS**, the funds to construct the dugouts and batting cage will be paid by the Baseball Club of Chatham, N.J., Inc.; and

**WHEREAS**, the Baseball Club of Chatham, N.J., Inc. shall be responsible for the construction of the dugouts and batting cage; and

**WHEREAS**, the Baseball Club of Chatham, N.J., Inc. shall apply and obtain all required construction permits; and

**WHEREAS**, the dugouts and batting cage, when completed, will be donated from the Baseball Club of Chatham, N.J., Inc. to the Borough of Chatham.

**BE IT RESOLVED**, by the Mayor and Borough Council in the County of Morris and the State of New Jersey that the construction of the baseball dugouts and batting cage on the south field as specified on the design plan and presented to the Mayor and Borough Council is approved; and

**BE IT FURTHER RESOLVED**, the Borough Engineer is authorized to coordinate the construction of the dugouts and batting cage and that the specifications approved by the Mayor and Borough Council are followed.

## **OTHER**

### **RESOLUTION #15-155**

#### **RESOLUTION APPROVING CHATHAM BOROUGH FIRE DEPARTMENT ASSOCIATION, INC. TO CONDUCT A FISHING DERBY AT KELLEY'S POND**

**BE IT RESOLVED**, by the Mayor and Council of the Borough of Chatham that the Chatham Borough Fire Department Association, Inc. is hereby authorized to conduct a fishing derby at Kelley's Pond on April 25 & 26, 2016 from 8:00 a.m. to 5:00 p.m.

**BE IT FURTHER RESOLVED**, that all other Borough officials and employees are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

### **RESOLUTION #15-156**

#### **RESOLUTION APPROVING TRANSFER OF DONATIONS ALLOCATED TO TRUST FUND I ACCOUNT TO CHATHAM BRIDGING THE GAP, INC.**

**WHEREAS**, the Borough of Chatham has transferred administration of its Work First New Jersey General Assistance program to Morris County; and

**WHEREAS**, the volunteer based Borough Cares and Shares Advisory Committee was previously charged with providing local assistance to Borough residents in need; and

**WHEREAS**, Chatham Bridging the Gap, Inc. is a New Jersey 501c(3) organization, which provides temporary assistance to local families and individuals that find themselves in a financial hardship due to unexpected circumstances; and

**WHEREAS**, the organization will replace the Cares and Shares Advisory Committee and coordinate assistance for Borough residents in need; and

**WHEREAS**, the Borough has previously received charitable donations from area residents and businesses to help those in need; and

**WHEREAS**, these donations in the amount of \$7,256.08 were allocated to the Public Assistance Trust Fund I; and

**WHEREAS**, the Mayor and Borough Council wish to transfer these donations to Chatham Bridging the Gap, Inc. to be used to further its mission to provide assistance to Borough residents in need.

**BE IT RESOLVED**, by the Mayor and Chatham Borough Council that the Chief Financial Officer is hereby authorized to transfer donations in the amount of \$7,256.08 allocated to the Public Assistance Trust Fund I to Chatham Bridging the Gap, Inc. to be used to further its mission to provide assistance to Borough residents in need.

### **CONSENT AGENDA VOTE**

Council Member John Holman made a motion to approve Resolutions #15-148 through #15-156 on the Consent Agenda. The motion was seconded by Council President Gerald Helfrich. A voice vote was taken and Resolutions #15-148 through #15-156 on the Consent Agenda were approved unanimously.

### **ADD-ON RESOLUTION**

Mayor Bruce Harris proceeded with Resolution #15-157.

### **RESOLUTION #15-157**

### **RESOLUTION ESTABLISHING A DEDICATION BY RIDER FOR THE TRI-CENTENNIAL SETTLEMENT OF CHATHAM BOROUGH TRUST FUND**

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

**WHEREAS**, N.J.S.A. 40A:5-29 permits the Borough to use dedicated revenues anticipated from donations in support of Tri-centennial Settlement of Chatham Borough Trust Fund activities for the purposes to which said donations are made; and

**WHEREAS**, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Tri-centennial Settlement of Chatham Borough Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said donations are made in accordance with N.J.S.A. 40A:5-29.

**BE IT RESOLVED**, by the Mayor and Borough Council of the Borough of Chatham that they hereby approve the Chatham Borough Tri-centennial Celebration; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Tri-centennial Settlement of Chatham Borough Trust Fund in accordance with N.J.S.A. 40A:5-29; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services; and

**BE IT FURTHER RESOLVED**, that all Borough officials are hereby authorized and directed to take all action necessary and appropriate to effectuate the terms of this Resolution.

Council Member Victoria Fife made motion to approve Resolution #15-157. The motion was seconded by Council Member James Lonergan. A voice vote was taken and Resolution #15-157 was approved unanimously.

## **ORDINANCE FOR FIRST READING**

Mayor Harris asked Council Member Fife to introduce Ordinance #15-04.

Council Member Fife introduced Ordinance #15-04 by title as follows:

### **ORDINANCE #15-04**

#### **ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AMENDING SECTION 165-76.2 OF THE BOROUGH CODE REGULATING GROUND-BASED MECHANICAL EQUIPMENT**

Council Member Fife explained the purpose of the Ordinance and moved for its introduction on First Reading.

Council Member Fife read:

**WHEREAS**, the above Ordinance was introduced and read by title at this Council meeting held on March 23, 2015.

**BE IT RESOLVED**, that at the Council meeting to be held on April 13, 2015 at 7:30 p.m. prevailing time, at the Borough Hall, the Chatham Borough Council will further consider this Ordinance for a second reading, public hearing and final passage; and

**BE IT FURTHER RESOLVED** that the Clerk is hereby requested to publish the proper notice thereof, including this Ordinance, post the Ordinance on the bulletin board in the Municipal Building and make copies available to members of the general public. And I do so move.

The motion was seconded by Council Member James Collander.

Mayor Harris asked the Borough Clerk for a Roll Call Vote:

Name	Motion	Second	Yes	No	Abstain	Absent
Collander		X	X			
Lonergan			X			
Holman			X			
Fife	X		X			
Helfrich			X			
Kass			X			

Mayor Harris stated Ordinance #15-04 passed on introduction.

Mayor Bruce Harris asked Council President Gerald Helfrich to proceed with Resolution #15-158.

Council President Gerald Helfrich read Resolution #15-158 in full.

### **RESOLUTION #15-158**

#### **RESOLUTION TO ADJOURN INTO CLOSED SESSION**

**BE IT RESOLVED**, by the Borough Council of the Borough of Chatham that it shall adjourn



into closed session to discuss the following subject matter(s) without the presence of the public in accordance with the provisions of R.S. 10:4-12b:

- |                            |  |
|----------------------------|--|
| Contract Matters:          | 1. St. Paul's Agreement – Mr. Lott<br>2. Joint Recreation Agreement – Council Member Lonergan  |
| Attorney-Client Privilege: | 1. COAH Rules – Mr. Lott<br>2. Oliver Street Vacation Request – Mr. DeNave   |
| Litigation Matters:        | 1. Tricare Litigation Update- Mr. Lott<br>2. <u>Hill v. Borough of Chatham</u> Update – Mr. Lott<br>3. Florham Park Development – Mr. DeNave |

**BE IT FURTHER RESOLVED**, the matter(s) discussed will be made known to the public at such time as appropriate action is taken on said matter(s), and when disclosure will not result in unwarranted invasion of individual privacy or prejudice to the best interests of the Borough of Chatham, provided such disclosures will not violate Federal, State or local statutes and does not fall within the attorney-client privilege. The Borough Council will not return to public session after this closed session.

Council President Gerald Helfrich made motion to approve Resolution #15-158. The motion was seconded by Council Member Victoria Fife, with all Members of the Council voting in favor.

The Mayor and Council adjourned into Closed Session.

#### **ADJOURNMENT**

Meeting adjourned 9:07 p.m.

Respectfully Submitted:

*Robin R. Kline*

Robin R. Kline, MAS, RMC, CMR  
Borough Clerk  
BOROUGH OF CHATHAM